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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,655	08/21/2001	Chinmei Chen Lee	34-17	6676
46290	7590	05/09/2008		
WILLIAMS, MORGAN & AMERSON 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			EXAMINER CZEKAJ, DAVID J	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 05/09/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/933,655

Applicant(s)

LEE ET AL.

Examiner

DAVID CZEKAJ

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C2)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-9 and 11-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al. (6697103), (hereinafter referred to as "Fernandez") in view of Parker et al. (5517300), (hereinafter referred to as "Parker").

Regarding claim 1, Fernandez discloses an apparatus that relates to remote surveillance and communications technology (Fernandez: column 1, lines 6-8). This apparatus comprises "providing a request for surveillance from a mobile terminal via a communication link to remote control equipment for the surveillance equipment" (Fernandez: column 8, lines 20-23, wherein the mobile terminal is the controller, column 9, lines 1-5, wherein the request is the user selection of the desired objects), "identifying an area that is to be under surveillance" (Fernandez: column 4, lines 3-9, wherein common areas are identified, column 9, lines 1-5, wherein the identification is performed by the user selecting the appropriate site or link), and "orienting the surveillance equipment

to effect surveillance of the identified area" (Fernandez: column 4, lines 57-61, wherein orienting equipment is adjusting the pan, tilt, or focus). However, this apparatus lacks identifying the area proximate to a geographical position of the mobile terminal as claimed. Parker teaches that a need exists for improvements and refinements to prior art tracking systems (Parker: column 1, lines 30-35). To help alleviate this need, Parker discloses "identifying an area that is to be under surveillance proximate to a geographical position of the mobile terminal based on location information received from the mobile terminal" (Parker: column 6, lines 34-38, wherein the mobile terminal is the remote which uses the IR sensors to send the position data of the remote unit; column 7, lines 5-10, wherein by tracking the remote, the remote is sending position information to the base unit via the IR sensors. If the remote unit did not send position data via the IR sensors, the base unit would not be able to successfully track the remote unit) and "orienting equipment to effect surveillance of the area in response to the request from the mobile terminal" (Parker: column 7, lines 5-10; column 12, lines 24-40, wherein the request is the user selecting the track button). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to take the apparatus disclosed by Fernandez and add the processing taught by Parker in order to obtain an apparatus that helps better track/watch certain individuals.

Regarding claim 2, Fernandez discloses "using information from the mobile terminal to identify the area to be under surveillance" (Fernandez: column

8, lines 20-23, wherein the mobile terminal is the controller, column 9, lines 1-5, wherein the information is the data corresponding to the user selection).

2. Claims 3-10, and 12-17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernandez et al. (6697103), (hereinafter referred to as "Fernandez") in view of Parker et al. (5517300), (hereinafter referred to as "Parker") in further view of Kawai et al. (6137485), (hereinafter referred to as "Kawai").

Regarding claim 3, note the examiners rejection for claim 1 and in addition, claim 3 differs from claim 1 in that claim 3 further requires using information from a base station to identify an area to be under surveillance. Kawai teaches that it is well known to use information from a base station to select images for surveillance (Kawai: column 1, lines 24-46, wherein the base station is where the user terminal is located, the information is the user selection for the specified camera. By selecting the camera, the user is identifying an area to be under surveillance). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to implement the information from the base station taught by Kawai in order to obtain an apparatus that better helps identify an area to be monitored by supplying information from a base station.

Regarding claim 4, Fernandez discloses " using information from GPS to identify the area that is to be under surveillance" (Fernandez: column 7, lines 30-40, wherein the telecommunication system is the cellular phone radio

connectivity, column 12, lines 40-49, wherein the GPS provides location information).

Regarding claims 5 and 8-9, Fernandez in view of Parker disclose "using the location of the terminal to orient a camera to focus in on the terminal" (Fernandez: column 4, lines 57-61, wherein orienting equipment is adjusting the pan, tilt, or focus; Parker: column 7, lines 5-10, wherein by tracking the remote, the remote is sending position information to the base unit).

Regarding claim 6, Fernandez discloses "the location of the mobile terminal is determined from global position satellite signals" (Fernandez: column 10, lines 36-42, wherein the controller is equipped with a GPS receiver).

Regarding claim 7, Fernandez discloses "the location of the terminal is determined from the wireless network" (Fernandez: column 10, lines 36-42, wherein the wireless network is the GPS network).

Regarding claim 10, Fernandez discloses "the equipment used to effect surveillance" (Fernandez: column 4, lines 57-61, wherein adjusting the pan, tilt, or focus is effecting surveillance).

Regarding claim 12, Fernandez discloses "the equipment used to effect surveillance remains focused for a fixed interval of time" (Fernandez: column 12, lines 50-67, wherein the fixed interval of time is the time the object is within view of the cameras).

Regarding claims 13 and 17, Fernandez discloses "making a recording of the area under surveillance" (Fernandez: column 9, lines 10-24, wherein the

database is equipped with a storage device array for recording various statistics and images).

Regarding claim 14, Fernandez discloses "the request for surveillance from the mobile terminal is effected by activation a menu and selecting an option from the menu" (Fernandez: column 9, lines 1-9, wherein the menu is the list of websites or icons and selecting an option is clicking or selecting on the desired website or link).

Regarding claims 15 and 16, although not disclosed, it would have been obvious to use a security code on the mobile terminal (Official Notice). Doing so would have been obvious in order to prevent unauthorized access to the system.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID CZEKAJ whose telephone number is (571)272-7327. The examiner can normally be reached on Mon-Thurs and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571) 272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dave Czekaj/
Art Unit 2621

/Mehrdad Dastouri/
Supervisory Patent Examiner, Art Unit 2621

